

United States Bankruptcy Court
EASTERN DIVISION OF MICHIGAN
SOUTHERN DIVISION
FILED (1)

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In re

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT
Case No, 1353846

CITY OF DETROIT, MICHIGAN

Debtor

Hon. Steven W. Rhodes

X

**EDITH WOODBERRY'S RESPONSE TO DEBTOR'S STAY MODIFICATION
NOTICE, JURY TRIAL DEMAND, AND SPECIAL APPEARANCE TO
CHALLENGE SUBJECT MATTER AND PERSONAL JURISDICTION**

BACKGROUND

The City's 15 year artifice use of its eminent domain powers to successfully defraud *Edith Woodberry of her real property* (2457 Beaubien St, Detroit Michigan St., 48201)(aka as 445 Fisher Freeway).

Court action began in 1999 - 2005. The City failed to pay *Edith Woodberry just compensation for her ½ ownership in Subject Property.*

WITHOUT PAYING EDITH WOODBERRY JUST COMPENSATION THE CITY FILED BANKRUPTCY.

THE CITY OF DETROIT'S EMINENT DOMAIN ACTION AGAINST EDITH WOODBERRY IS STILL PENDING IN WAYNE COUNTY CIRCUIT COURT (Case # 05-522129-CC).

Edith Woodberry denounced Bankruptcy court's IN PERSONAM AND SUBJECT MATTER JURISDICTION when notifying the Court of THE PENDING CASE AND filed form B10(Official Form 10)94/13)(Modified)i to prevent the Debtor (City) from Claiming pendent jurisdiction after Bankruptcy and to prevent a Court entering, erroneously, a res judicata ORDER.

On June 25, 2014, the BANKRUPTCY COURT entered an ORDER sustaining Edith Woodberry's claim against the City (as well as claim numbers 2846 etc.), and held in pertinent part that "until further ORDER of the Court THE CITY'S OBJECTIONS TO CLAIM NUMBERS 2846 2880, 2883, 2888, 2889,2902, 3006 3271 and 3278 are deemed contingent and unliquidated, and for balloting purposes are estimated at \$0, and that the Court abstains from fixing these claims in favor of the state court proceedings in which these claims are pending."

RESPONSE

Now Comes EDITH WOODBERRY; (Edith) claim Number 2846 (DKt.) in pro per; on behalf of herself and says that: the City's 15 year artifice use of its eminent domain powers to defraud Edith of her ½ ownership of real property (2457 Beaubin St, Detroit Michigan St., 48201)(aka as 445 Fisher Freeway) Court action began in 1999.

1) Edith Declares under the penalty of perjury that she is the sole ½ owner of an 18 unit apartment building that contained three commercial units, a basement, and sub-basement and located in a prime location commonly known as 2457 Beaubien St., also known as, 445 Fisher Freeway Detroit Michigan, 48201, and that:

2) The City has never disputed the fact that Edith is sole ½ owner of the subject property that it "took" (seized) in the use of its eminent domain power. Nor did the City dispute that the law allows Edith the Fair Market appraised value of her property and that Edith be given due process and equal consideration, and that;

3) Pending un-adjudicated in Wayne County Circuit Court (case no. 05-522129-CC) is *Edith's* responsive argument and supporting brief that the City of Detroit in violation of Federal and State constitutional eminent domain powers under the 14th and 5th Amendments law, and rules of civil procedural seized Edith's one half (1/2) ownership in subject property without paying Edith just compensation, and that;

4) It is an undisputed fact that Edith, did not authorize the City to write a check payable to her and her son or any other attorney. If Edith's son or any attorney, who does not represent Edith act her authorized representative accept such a check from the City as just compensation for the City's "taking" of property that Edith is the sole owner can only be construed that said check was to cover said attorney's lien for Court Cost and Legal Fees or payola for said attorney's collusion with the City to defraud Edith of her property via its unlawful use of its eminent domain power under the 14th and 5th Amendments of United States and Michigan Constitutions.

5) The City, under the cover of law (eminent domain power) "seized" *Edith's one half (½) ownership* in subject property via fraud and force remove and detained Edith's personal property at Gun Point. The City also seized the Woodward East Property Management Company's who was a legal tenant, personal possessions, without an Eviction Order unlawfully.

6) If Bankruptcy Court assumes persona and subject matter jurisdiction, Edith on behalf of herself petitions the Court to conduct a de novo Hearing to avoid *kangaroo Court type proceedings.

7) The Stay Modification Notice that the CITY of DETROIT LAW DEPARTMENT attorneys Eric B Gaabo and James D. Nosedo, sent to *Edith* has all the makings of a sham. Seemingly the above attorneys equates instant Courts with their view of a Kangaroo Court and the presiding judges personifications of Judge Beam personified, who is well known for eye winking the law if the price is right. The City's wanton failure to pay Edith just compensation for "taking" her property and evicting her, at gun point, 56 days or more after Court's entry of the ORDER of EVICTION.

8) The meaning of the June 25, 2014, BANKRUPTCY COURT ORDER sustaining Edith Woodberry's claim against the City is dubious.

WHEREFORE Edith asks this Court to enter an ORDER:

a. Mandating Trial by Jury,

b. Discovery,

c. Requiring the City to provide Edith with copy of procedural instruction with respect to The Hon Thomas J. Tucker order that designated Edith Woodberry a claimant, #2846, in that Edith Woodberry never appeared before him.

d. If a lawsuit is pending for the above claim(s), state: December 24, 2013 ORDER regarding Hon. R


EDITH WOODBERRY pro pro